

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO.5232 OF 2004

Vilas Maruti Jadhav & Ors. ...Applicants

Versus

The State of Maharashtra ...Respondent

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Mr.Rahul S.Kate for Applicants.

Mr.K.V.Saste, A.P.P. for Respondent.

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CORAM: A.M.KHANWILKAR, J.

DECEMBER 1, 2004.

P.C.

1. Heard Counsel for the parties.

2. It is seen that the Applicant No.1 was granted anticipatory bail and remaining Applicants were granted regular bail in connection with the offence which was originally registered under Sections 498-A and 306 read with Section 34 of the Indian Penal Code. Now after further

investigation, additional charge of Section 302 of the Indian Penal Code, has been invoked.

3. In this backdrop, the Applicants will have to apply for regular bail afresh. The appropriate course, to my mind, is to grant limited protection to the present Applicants to enable them to approach the appropriate Court by way of regular bail application. Till such time, the Applicants shall not be arrested.

4. The Applicants shall file the regular Bail Application on or before 6th December 2004. The protection granted under this order will enure only till 6th December 2004, on which date, the Applicants will appear before the appropriate Court and present the regular Bail Application and on the same day, the Trial Court may proceed to dispose of that Application. In case, it is not possible for the appropriate Court to finally dispose of the Application on the same day, then it will be open to the Court to grant ad-interim order to the Applicants, if so advised, till the application is finally decided on the next date of hearing.

5. Respondents through their Counsel, assures that no adjournment will be sought if the application is presented on 6th December 2004.

6. The Applicants shall give advance notice to the Investigating Officer before presenting the Application for regular Bail. Ordered accordingly.

7. Applicants shall, in the meantime, extend necessary co-operation for the purpose of investigation as and when called upon.

8. All concerned to act on the ordinary copy of this order, duly authenticated by the Office.

A.M.KHANWILKAR, J.